



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager */mrc*

Date: June 27, 2014

Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer
Kenneth B. Richardson, PE, Engineering Manager - Design
Philip K. Hartmann, Assistant Law Director

Re: ORDINANCE 68-14 -AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.027 ACRE, MORE OR LESS, PERMANENT EASEMENT FROM THOMAS W. GOSIOROWSKI AND LINDA A. GOSIOROWSKI, AT THE PROPERTY LOCATED AT 8846 LOCHERBIE COURT, FOR THE CONSTRUCTION OF A SHARED-USE PATH AS PART OF THE MUIRFIELD DRIVE BIKE LANES PROJECT, AND DECLARING AN EMERGENCY.

Background

The City of Dublin (the "City") is constructing bike lanes, a shared-use path, and pedestrian bridges along Muirfield Drive as part of the Muirfield Drive Bike Lanes Project (the "Project").

Thomas W. Gosiorowski and Linda A. Gosiorowski (the "Grantors") own property from which the City desires a permanent easement for the construction of the shared-use path. This property is located at 8846 Locherbie Court and is identified as Delaware County Parcel No. 600-343-05-092-000.

After engaging in amicable discussions, the City has come to an agreement with the Grantors to acquire the property pursuant to the terms outlined in this memorandum. This Ordinance authorizes the settlement of the matter for the appraised value of Three Thousand Two Hundred Thirty-Five Dollars (\$3,235.00).

Acquisition

The City will be acquiring from the Grantors only the property interest necessary for purposes of the Project, as depicted in the legal description and depiction attached to this memorandum. The property interest is detailed below.

Delaware County Parcel No. 600-343-05-092-000

Property Interest Acquiring	Description	Appraised Value
Permanent Easement	0.027 acre ±	\$3,235.00
Total		\$3,235.00

Recommendation

Ordinance No. 68-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interest described above.

The Law Department recommends that Council dispense with the public hearing and approve Ordinance 68-14 by emergency at the July 1, 2014 Council meeting in order to finalize settlement with Thomas W. Gosiorowski and Linda A. Gosiorowski and continue moving forward with the Project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

68-14

Ordinance No. _____

Passed _____

, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.027 ACRE, MORE OR LESS, PERMANENT EASEMENT FROM THOMAS W. GOSIOROWSKI AND LINDA A. GOSIOROWSKI, AT THE PROPERTY LOCATED AT 8846 LOCHERBIE COURT, FOR THE CONSTRUCTION OF A SHARED-USE PATH AS PART OF THE MUIRFIELD DRIVE BIKE LANES PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Dublin (the "City") is constructing bike lanes, a shared-use path, and pedestrian bridges along Muirfield Drive as part of the Muirfield Drive Bike Lanes Project (the "Project"); and

WHEREAS, said Project requires that the City obtain a permanent easement from Thomas W. Gosiorowski and Linda A. Gosiorowski (the "Grantors") at 8846 Locherbie Court, identified as Delaware County Parcel No. 600-343-05-092-000, said property interest more fully described in Exhibit "A" and depicted in Exhibit "B," all attached hereto; and

WHEREAS, the City and the Grantors participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interest for the appraised value of Three Thousand Two Hundred Thirty-Five Dollars (\$3,235.00); and

WHEREAS, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantors.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute all necessary conveyance documentation to acquire a 0.027 acre, more or less, permanent easement from Thomas W. Gosiorowski and Linda A. Gosiorowski, for the appraised value of Three Thousand Two Hundred Thirty-Five Dollars (\$3,235.00), said property interest located within Delaware County Parcel No. 600-343-05-092-000, and as more fully described in the attached Exhibit "A" and depicted in attached Exhibit "B."

Section 2. This Ordinance is declared to be an emergency necessary for the immediate preservation of the public peace, health, safety or welfare, and for the further reason that obtaining the property interest is necessary for the advancement of this Project. The ordinance shall therefore take effect immediately upon passage.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

Parcel #60034305092000
Permanent Easement
for
Utilities, Storm Drainage, and Grading
0.027 acres

Situated In the State of Ohio, County of Delaware, City of Dublin, being in Virginia Military Survey Number 2545 and 5162 being Lot 755 of the Muirfield Village Phase 14 Subdivision as delineated in Plat Book 15, Page 153 and conveyed to Thomas W. and Linda A. Gosiorowski, all records herein are from the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

Beginning at 3/4" diameter iron pipe at the intersection of the west Right of Way of Muirfield Drive (variable Right of Way width - Plat Book 12, Pages 6-8, Delaware County & Plat Book 49, Pages 81-83, Franklin County) and the northerly line of said Lot 755, said point being the **Point of Beginning**;

Thence, South 37°41'06" West, a distance of 119.00 feet, along the west Right of Way of said Muirfield Drive to the southerly line of said Lot 755;

Thence, North 38°36'27" West, a distance of 10.00 feet, along the southerly line of said Lot 755 to a point;

Thence, North 37°33'27" East, a distance of 117.32 feet, crossing and to the northerly line of said Lot 755;

Thence, South 48°22'48" East, a distance of 10.00 feet, along the northerly line of said Lot 755 to the **Point of Beginning**, containing 0.027 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Note that parcel is located in North Zone, however, the overall project is in South Zone and used for the Construction Documents. Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

The described 0.027 acre tract is a part of Auditor's Tax Parcel Number 60034305092000 and is based on Plat Book 15, Page 153.

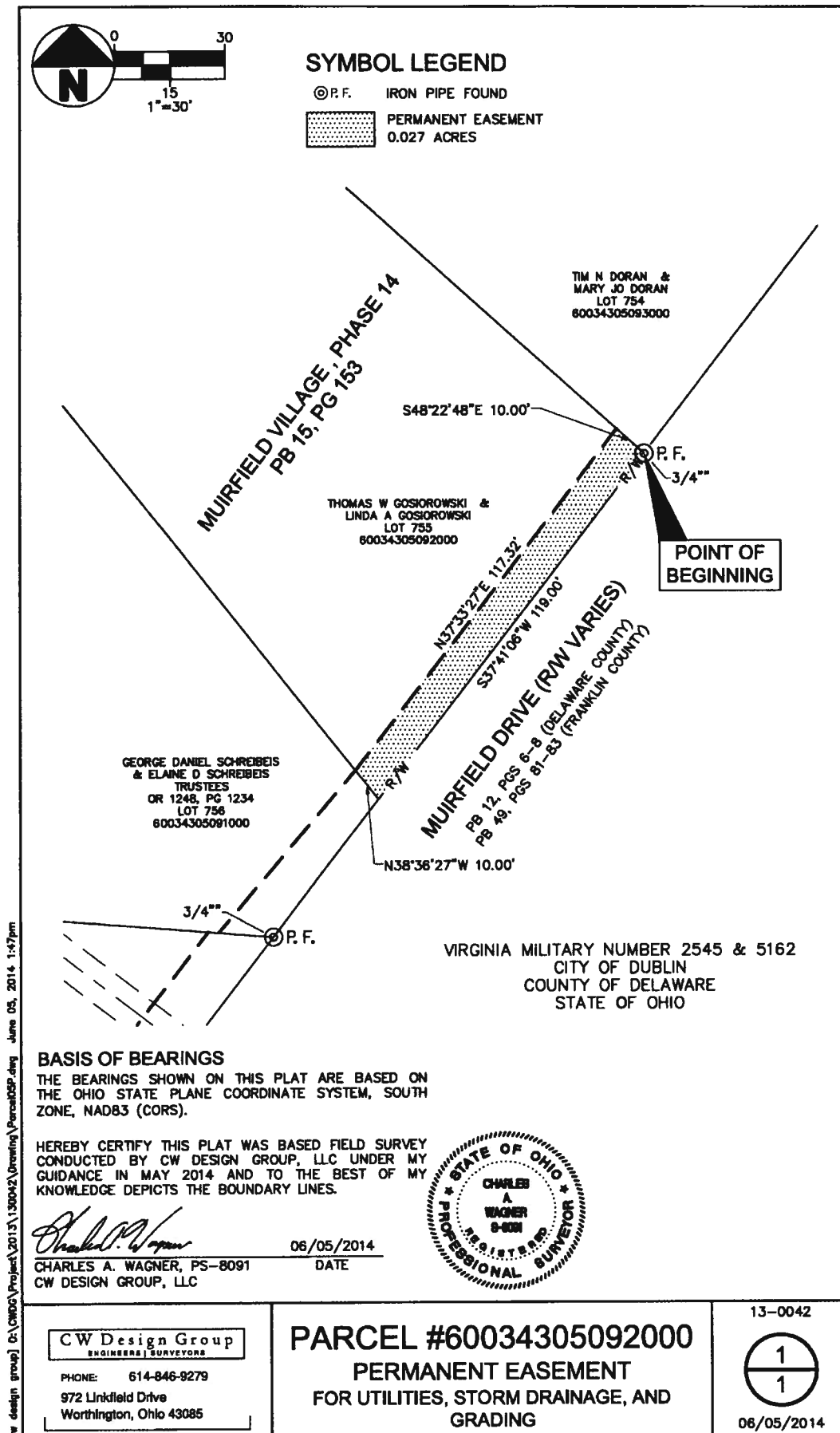
I hereby certify this description was based field survey conducted by CW Design Group, LLC under my guidance in May 2014 and to the best of my knowledge depicts the boundary lines.

CW Design Group, LLC


Charles A. Wagner - Professional Surveyor 8091

06/05/2014
Date





[cw design group] D:\CWDSG\Project\2013\130042\Drawing\Parcel05P.dwg June 05, 2014 1:47pm